

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RICHARD GILBERT GUTIERREZ,) No. C 07-3939 RMW (PR)
Plaintiff,) JUDGMENT
v.)
BORISH, et al.,)
Defendants.)

The court has closed the instant civil rights action because the complaint filed on July 31, 2007 was mistakenly opened as a new case, rather than being filed in plaintiff's pending civil rights action, case no. C 07-3834 RMW (PR). A judgment of dismissal without prejudice is entered. The clerk shall close the file.

IT IS SO ORDERED.

DATED: 8/7/2007

/s/ Ronald M. Whyte
RONALD M. WHYTE
United States District Judge

1 This is to certify that on 8/8/2007, a copy of this
2 ruling was mailed to the following:

3 Richard Gilbert Gutierrez
4 PFN# CNS 503
5 Santa Clara County Jail
150 West Hedding Street
San Jose, CA 95110

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